CLASSIFICATION OFFICE DECISION

Title of publication:	5.jpg_500.jpg
Other known title(s):	Not stated
OFLC ref:	1400089.012
Medium:	Computer Image File
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	Secretary for Internal Affairs
Classification:	Objectionable.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	08 May 2014
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	07 May 2014

Summary of reasons for decision:

The image file exploits the nudity of a young girl to an extent and degree that renders its availability likely to be injurious to the public good. The file has been downloaded from the internet. The photographic image shows a prepubescent girl sitting on a bed as she pulls on a pair of pantyhose. She wears only a pair of form-fitting briefs. The photographer has taken advantage of the vulnerability of a young girl who does not have the maturity necessary to be aware of possible consequences, and has clearly done so for sexual purposes. Alternative explanations do not appear plausible.

Banning this publication limits the freedom of expression guaranteed by the New Zealand Bill of Rights Act 1990. This outcome is consistent, however, with Parliament's intention to limit the availability of publications that exploit the nudity of children.